FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

REVIEW APPLICATION NO.29 OF 2005
IN
SECOND APPEAL NO. 865 OF 2003

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.Rajesh Datar for the Appellant.

Mr. K.K.Malpathak for the Resp. No.1.

CORAM : R.S. MOHITE, J.
DATED : FEBRUARY 8, 2006.

P.C.

1. This matter has been moved for speaking to minutes . The Advocate for the appellant states that he had not made a concession to the effect that there existed a provisional condition in the lease deed prohibiting the appellant from making a pakka construction. He prays that my observations relating to the said concession may be deleted. I find that my order dated 16.12.2005 read with my earlier order dated 11.8.2005 had reference to the lease deed. I have

interpreted the same as meaning that it prohibited making of a pakka construction. In my view, the said finding renders the concession attributed to the appellant’s advocate superfluous and hence, it stands deleted.

(R. S. MOHITE, J.)